

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

MARTIN HAGOPIAN,

Plaintiff,

vs.

Case No. 05-CV-74025
HON. GEORGE CARAM STEEH

DAVID SMITH, et al.,

Defendants.

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ORDER ACCEPTING REPORT AND RECOMMENDATION (#76),
AND GRANTING DEFENDANT BUREAU OF HEALTH CARE SERVICES'
MOTION TO DISMISS (#62) AND AMENDED MOTION TO DISMISS (#64)

Defendant Michigan Department of Corrections Bureau of Health Care Services (BHCS) filed a motion to dismiss and an amended motion to dismiss state prisoner Martin Hagopian's § 1983 claims on the grounds of Eleventh Amendment immunity. The motion was referred to Magistrate Judge Mona Majzoub who issued an October 11, 2007 Report and Recommendation recommending that BHCS's motion to dismiss be granted on the merits of Eleventh Amendment immunity and consistent with Hagopian's consent to dismissal. See Wichert v. Caruso, No. 1:07-cv-853, 2007 WL 2904053, at *2 (W.D. Mich. Oct. 2, 2007) (and cases cited therein). Having reviewed the October 11, 2007 Report and Recommendation, and absent objection, the court adopts the recommendation. Accordingly,

Defendant BHCS's motions to dismiss are hereby GRANTED.

SO ORDERED.

Dated: October 18, 2007

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on
October 18, 2007, by electronic and/or ordinary mail.

s/Josephine Chaffee
Deputy Clerk